

In re:  
Amy M Acquaviva  
Debtor

Case No. 22-12593-elf  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0313-2  
Date Rcvd: Feb 13, 2023

User: admin  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 15, 2023:

Recip ID	Recipient Name and Address
db	+ Amy M Acquaviva, 2322 North Gilinger Road, Lafayette Hill, PA 19444-2228

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 15, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 13, 2023 at the address(es) listed below:

Name	Email Address
BRAD J. SADEK	on behalf of Debtor Amy M Acquaviva brad@sadeklaw.com bradsadek@gmail.com;sadek.bradj.r101013@notify.bestcase.com;documents@sadeklaw.com
BRIAN CRAIG NICHOLAS	on behalf of Creditor M&T BANK bnicholas@kmlawgroup.com bkgroup@kmlawgroup.com
DENISE ELIZABETH CARLON	on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com
KENNETH E. WEST	ecfemails@ph13trustee.com philaecf@gmail.com
KENNETH E. WEST	on behalf of Trustee KENNETH E. WEST ecfemails@ph13trustee.com philaecf@gmail.com
MICHAEL PATRICK FARRINGTON	

District/off: 0313-2

User: admin

Page 2 of 2

Date Rcvd: Feb 13, 2023

Form ID: pdf900

Total Noticed: 1

on behalf of Creditor M&T BANK mfarrington@kmlawgroup.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 7

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Amy M. Acquaviva

Debtor(s)

CHAPTER 13

M&amp;T Bank

Movant

vs.

NO. 22-12593 ELF

Amy M. Acquaviva

Debtor(s)

Kenneth E. West

Trustee

11 U.S.C. Section 362

**STIPULATION**

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. As of January 10, 2023, The post-petition arrearage on the mortgage held by the Movant on the Debtor's residence is **\$6,535.56**. Post-petition funds received after January 10, 2023, will be applied per the terms of this stipulation as outlined here. The arrearage breaks down as follows:

Post-Petition Payments: October 2022 through January 2023 at \$1,374.39/month  
Fees & Costs Relating to Motion: \$1,038.00  
**Total Post-Petition Arrears \$6,535.56**

2. Debtor(s) shall cure said arrearages in the following manner;

a). On or about January 9, 2023, Debtor shall make a tender payment of **\$4,123.17** towards to the arrears.

b). The remaining balance of **\$2,412.39** shall be made to the Movant on or before January 31, 2023 to the address below:

M&T Bank  
Attn: Payment Processing  
P.O. Box 1288  
Buffalo, NY 14240-1288

c). Beginning with the payment due February 2023 and continuing thereafter, Debtor shall pay to Movant the present regular monthly mortgage payment of

\$1,374.39 (or as adjusted pursuant to the terms of the mortgage) on or before the first (1<sup>st</sup>)

day of each month (with late charges being assessed after the 15<sup>th</sup> of the month).

3. Should debtor(s) provide sufficient proof of payments (front & back copies of cancelled checks and/or money orders) made, but not credited, Movant shall adjust the account accordingly.

4. In the event the payments under Section 2 above are not tendered pursuant to the terms of this stipulation, Movant shall notify Debtor(s) and Debtor's attorney of the default in writing and the Debtors may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor(s) should fail to cure the default within fifteen (15) days, the Movant may file a Certification of Default with the Court and the Court shall enter an Order granting the Movant relief from the automatic stay.

5. The stay provided by Bankruptcy Rule 4001(a)(3) is waived.

6. If the case is converted to Chapter 7, Movant shall file a Certification of Default with the court and the court shall enter an order granting Movant relief from the automatic stay.

7. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

8. The provisions of this stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

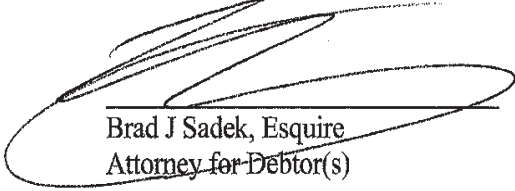
9. The parties agree that a facsimile signature shall be considered an original signature.

Date: January 16, 2023

/s/ Denise Carlon, Esquire

Denise Carlon, Esquire  
Attorney for Movant

Date: 1/30/23


  
Brad J Sadek, Esquire  
Attorney for Debtor(s)

Date: 2/8/2023

/s/ Ann E. Swartz, Esquire for  
Kenneth E. West, Esquire  
Chapter 13 Trustee

## ORDER

Approved by the Court this 10th day of February, 2023. However, the court retains discretion regarding entry of any further order.

  
\_\_\_\_\_  
Bankruptcy Judge  
Eric L. Frank